(18)

HIGH COURT OF CHHATTISGARH AT BILASPUR

DIVISION BENCH

CORAM: HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &
HON'BLE SHRI DILIP RAOSAHEB DESHMUKH, J.

Miscellaneous Appeal (C) No. 782 of 2007

APPELLANT/ CLAIMANT : Ku. Divya Jhariya, aged about 10 years D/o Tihlu Ram Jhariya, [Appellant being minor on behalf of through his legal guardian father/next friend Tihlu Ram Jhariya] Through - Tihlu Ram Jhariya, S/o Dadu Lal Jhariya, aged about 40 years, R/o - Banjari Nagar, Rawabhata, Police Station - Khantarai, Raipur, District - Raipur (C.G.)

VERSUS

RESPONDENTS : NON-CLAIMANTS

1. Radheshyam Khunte, S/o Uday Ram Khunte, R/o Mandir Hasoud, Police Station - Mandir Hasoud, Tehsil & District - Raipur (C.G.)

2. The Manager, Hora Transport, through Shri Kanhiya Chandwani, S/o Late Hargun Das Chandwani, R/o Telibandha, Gali No. 2, Police Station - Telibandah, Raipur, District - Raipur (C.G.)

3. The United India Insurance Company Limited, Through Divisional Manager, Kutchery Chowk, Jail Road, Raipur District - Raipur (C.G.)

Memorandum of Appeal under Section 173 of Motor Vehicle Act, 1988

Present : Shri Shivendu Pandya, counsel for the appellant/claimant.

ORAL ORDER
(Passed on 12th July, 2007)

The following oral order of the Court was passed by

Dilip Raosaheb Deshmukh, J.

Heard.

The only point urged by learned counsel for the appellant in this appeal for enhancement of compensation of Rs.25,000/- awarded by the 13th Additional Motor Accident Claim Tribunal (FTC), Raipur, District - Raipur (C.G.) (for short, "the Tribunal") in claim case No. 35/2006 is that the compensation awarded by the Tribunal for the injuries suffered by the claimant is too low.

However, a perusal of the impugned award shows that the appellant/ claimant did not suffer any permanent disability or any fracture on her left wrist. Even the doctor who treated her was not examined.

In this view of the matter, compensation of Rs.25,000/- awarded by learned Tribunal calls for no interference.

Accordingly, the appeal being devoid of merit is dismissed at the stage of admission itself.

Sd/-
Acting Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge

padma